

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Previously Presented) A data recording/reproducing apparatus, comprising:

recording area setting means of setting a plurality of logical recording areas in a recording medium which is for recording and reproducing data; and

file management means which refers to free area management information, which is for managing a free area capacity for each one of said recording areas, recording file management information, which is for managing a file to be recorded for each one of said recording areas, and deletion file selecting criteria information, which is for selecting a file to be deleted for each one of said recording areas, and executes management of said files,

wherein for writing of new data in a predetermined recording area, when said file management means judges that a free area for writing said new data is insufficient with reference to said free area management information, said file management means, referring to said deletion file selecting criteria information, deletes a portion or all of at least one file which is recorded in said predetermined recording area or does not execute an operation for writing said new data,

said deletion file selecting criteria information includes a deletion criteria based on a number of times a data file has been viewed,

said file management means includes setting the number of times each of the stored data files has been viewed, and

said file management means deletes the at least one file, if (i) a predetermined storage capacity available for the free area is smaller than an amount of data required to store said new data and (ii) the deletion criteria is satisfied which is based on the number of times a data file

has been viewed.

2. (Previously Presented) A data recording/reproducing apparatus in accordance with Claim 1,

wherein when not executing writing of said new data, said file management means notifies to outside that writing of said new data is not executed, and accepts an instruction in response to the notification from outside.

3. (Previously Presented) A data recording/reproducing apparatus in accordance with Claim 1,

including deletion file selecting criteria information setting means which is for a user to set up said deletion file selecting criteria information for each one of said recording areas.

4. (Previously Presented) A data recording/reproducing apparatus in accordance with Claim 1,

wherein said files are grouped in accordance with a predetermined criteria, said file management means, when deleting a portion or all of at least one file which is recorded in said predetermined recording area, deletes the file which is to be deleted as well as other files which belong to the same group as the file which is to be deleted.

5. (Previously Presented) A data recording/reproducing apparatus in accordance with any one of Claim 1 through Claim 4,

wherein a classification of said data which are to be written is different for each one of said recording areas, and said data recording/reproducing apparatus comprises data classification information setting means which is for a user to set up, for each one of said recording areas, data classification information which is for setting up a classification of data which are to be written.

6. (Previously Presented) A medium which is handled with a computer and carries a program which is for executing, with a computer, functions of a data recording/reproducing

apparatus in accordance with any one of Claim 1 through Claim 4.

7. (Previously Presented) A program for executing, with a computer, functions of a data recording/reproducing apparatus in accordance with any one of Claim 1 through Claim 4.

8. (Currently Amended) In a data recording/reproducing apparatus, a method of managing data in a recording medium for recording and reproducing data, comprising the steps of:

(a) partitioning the recording medium into a plurality of recording areas, each having a predetermined storage capacity, in which each area defines a predetermined type of data;

(b) assigning a deletion criteria for each of the respective areas defined in step (a), the deletion criteria including a number of times a data file has been viewed;

(c) storing at least one data file of a predetermined type of data in a respective one of the areas defined in step (a), and setting the number of times each of the stored data files has been viewed;

(d) determining storage capacity available for the defined area storing the at least one data file stored in step (c);

(e) providing another data file of the predetermined type of data for storage in the defined area storing the at least one data file stored in step (c); and

(f) deleting a stored data file stored in step (c), if (i) the predetermined storage capacity available for the one area is smaller than an amount of data required to store the other data file and (ii) the deletion criteria satisfies the deletion criteria assigned in step (b);

wherein step (c) includes viewing the stored data files, and

step (f) includes determining the stored data file has been viewed more times than the other stored data files and viewed in excess of one time, and

deleting the stored data file determined to have been viewed more times than the other stored data files, wherein the stored data file has been viewed in excess of one time.

9. (Cancelled)